

FARRELL THERESA C
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ACTION L-03

INFO OCT-00 ADS-00 EB-08 EA-10 COME-00 SSO-00 LAB-04
MEE0-01 JUSE-00 /026 W

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 8242

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E.O. 12065: NA

TAGS: EEWT, PGOV, JA

SUBJECT: AVIGLIANO V. SUMITOMO LITIGATION IN SUPREME COURT

REF: STATE 026490

1. EMBASSY QUERIED MFA ON REFTEL PARAGRAPH 4 ALTERNATIVES ON 3 FEB. MFA IN TURN REQUESTED FROM MITI AND JETRO TEXTS AND BACKGROUND MATERIALS ON THE PRO-SUMITOMO BRIEFS SUBMITTED BY THOSE ORGANIZATIONS.

2. AS OF 19 FEB. MFA HAS NOT YET RECEIVED THE REQUESTED INFORMATION FROM MITI, AND PREFERS NOT TO ISSUE A DEFINITIVE FORMAL POSITION STATEMENT UNTIL ITS LEGAL DEPARTMENT HAS HAD A CHANCE TO REVIEW THAT INFORMATION. HOWEVER, SECOND NORTH AMERICA DIVISION DEPUTY CHIEF YAMADA ON 19 FEB. TOLD EMBOFF INFORMALLY THAT:

A) THE MFA'S LEGAL VIEW OF THE CASE HAS NOT CHANGED; AND

B) ONLY MFA HAS LEGAL STANDING TO SPEAK FOR GOJ ON INTERPRETATION OF FCN; THUS MITI AND JETRO BRIEFS ARE, IN THIS INSTANCE, ESSENTIALLY UNOFFICIAL WITH NO MORE

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STANDING THAT BRIEFS FROM PRIVATE SECTOR.

3. MFA HAS PROMISED UTMOST EFFORT TO OBTAIN AND ANALYZE MITI MATERIALS BY EARLY PART OF NEXT WEEK.

CLARK

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DEPARTMENT OF STATE A/CDC/MR	
REVIEWED BY <i>K. D. [Signature]</i>	DATE <i>9-30-82</i>
RDS ☐ or XDS ☐ EXT. DATE _____	REASON(S) _____
TS AUTH. _____	ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☐	RELEASABLE ☒
RELEASE DENIED ☐	PA OF FOI EXEMPTIONS _____
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